

## 1 HOUSE BILL NO. 411

2 INTRODUCED BY F. WILMER

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF ADMINISTRATION TO  
5 AUTHORIZE THE ACTUAL COST OF MEALS FOR CERTAIN FIREFIGHTERS IF THE COSTS EXCEED THE  
6 PRESCRIBED MAXIMUM STANDARD RATE PER MEAL; AMENDING SECTION 2-18-501, MCA; AND  
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 2-18-501, MCA, is amended to read:

12 **"2-18-501. Meals, lodging, and transportation of persons in state service.** All elected state officials,  
13 appointed members of boards, commissions, or councils, department directors, and all other state employees  
14 must be reimbursed for meals and lodging while away from the person's designated headquarters and engaged  
15 in official state business in accordance with the following provisions:

16 (1) Except as provided under subsection (3), for travel within the state of Montana, lodging must be  
17 authorized at the actual cost of lodging, not exceeding \$35 per day, and taxes on the allowable cost of lodging,  
18 except as provided in subsection (3), plus \$5 for the morning meal, \$6 for the midday meal, and \$12 for the  
19 evening meal except as provided in subsection (10). All claims for lodging expense reimbursement allowed under  
20 this section must be documented by an appropriate receipt.

21 (2) Except as provided in subsection (3), for travel outside the state of Montana and within the United  
22 States, the following provisions apply:

23 (a) Lodging must be reimbursed at actual cost, not to exceed the prescribed maximum standard federal  
24 rate per day for the location involved plus taxes on the allowable cost.

25 (b) Meal reimbursement may not exceed the prescribed maximum standard federal rate per meal.

26 (3) ~~The~~ Except as provided in subsection (10), the department of administration shall designate the  
27 locations and circumstances under which the governor, other elected state officials, appointed members of  
28 boards, commissions, or councils, department directors, and all other state employees may be authorized the  
29 actual cost of the following:

30 (a) meals, not including alcoholic beverages, when the actual cost exceeds the maximum established

1 in subsection (4)(a); and

2 (b) lodging when the actual cost exceeds the maximum established in subsection (1), (2)(a), or (4)(a).

3 (4) Except as provided in subsection (3), for travel to a foreign country, the following provisions apply:

4 (a) All elected state officials, all appointed members of boards, commissions, and councils, all  
5 department directors, and all other state employees must be reimbursed as follows:

6 (i) \$7 for the morning meal, \$11 for the midday meal, and \$18 for the evening meal; and

7 (ii) \$155 per night for lodging.

8 (b) All claims for meal and lodging reimbursement allowed under this subsection (4) must be  
9 documented by an appropriate receipt.

10 (5) When other than commercial, nonreceiptable lodging facilities are used by a state official or employee  
11 while conducting official state business in a travel status, the amount of \$12 is authorized for lodging expenses  
12 for each day in which travel involves an overnight stay in lieu of the amount authorized in subsection (1) or (2)(a).  
13 However, when overnight accommodations are provided at the expense of a government entity, reimbursement  
14 may not be claimed for lodging.

15 (6) The actual cost of reasonable transportation expenses and other necessary business expenses  
16 incurred by a state official or employee while in an official travel status is subject to reimbursement.

17 (7) The provisions of this section may not be construed as affecting the validity of 5-2-301.

18 (8) The department of administration shall establish policies necessary to effectively administer this  
19 section for state government.

20 (9) All commercial air travel must be by the least expensive class service available.

21 (10) When the actual cost of meals exceeds the maximum standard allowed pursuant to subsection (1),  
22 the department of administration may authorize the actual cost of meals for firefighters.

23 (11) For the purposes of implementing subsection (10), the following definitions apply:

24 (a) "Firefighter" means a firefighter who is employed by the department of natural resources and  
25 conservation and who is directly involved in the suppression of a wildfire in Montana.

26 (b) "Wildfire" means an unplanned, unwanted fire burning uncontrolled and consuming vegetative fuels."  
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28 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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